

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GARY G. LOCKHART,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 1:20-cv-01336-ADA-EPG

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(ECF Nos. 21, 26)

Currently before the Court is the motion for an award of attorney fees under 42 U.S.C. § 406(b) filed by Plaintiff Gary G. Lockhart's counsel, Jacqueline A. Forslund, on December 13, 2022. (ECF No. 21.) On December 19, 2022, the Commissioner filed a response providing analysis regarding the fee request but taking no position on its reasonableness. (ECF No. 23.) This matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c)(15).

On February 28, 2023, the assigned Magistrate Judge issued amended findings and recommendations, recommending that Plaintiff's counsel's motion for attorney fees be granted. (ECF No. 26.) The findings and recommendations were served on the parties and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 5-6.) Further, Plaintiff's counsel served a copy of the findings and recommendations on Plaintiff

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1 as ordered. (*See id.* at 5; ECF No. 27.) To date, no objections have been filed and the deadline to
2 do so has passed.


3 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(c), this Court has conducted a
4 *de novo* review of the case. Having carefully reviewed the entire file, the Court finds that the
5 findings and recommendations are supported by the record and proper analysis.

6 Accordingly,

- 7 1. The amended findings and recommendations issued on February 28, 2023, (ECF
8 No. 26), are ADOPTED IN FULL;
- 9 2. Plaintiff's counsel's motion for attorney fees in the amount of \$6,580.00, (ECF No.
10 21), is GRANTED;
- 11 3. The Commissioner is directed to certify the fee of \$6,580.00 payable to Forslund
12 Law LLC; and
- 13 4. Plaintiff's counsel is directed to refund Plaintiff \$1,412.90 for the Equal Access to
14 Justice Act (EAJA) fees previously awarded pursuant to 28 U.S.C. § 2412(d) upon
15 the receipt of these fees.

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18 IT IS SO ORDERED.

19 Dated: May 2, 2023

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UNITED STATES DISTRICT JUDGE